

**REQUEST FOR PROPOSALS
FOR
WEBSITE DESIGN SERVICES**

Office of State Treasurer Young Boozer

Issue Date: November 21, 2014

Due Date: December 30, 2014

BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT COMPLIANCE

The Beason-Hammon Alabama Taxpayer and Citizen Protection Act (Act 2011-535 of the Alabama Legislature, codified as Code of Alabama, §§31-13-1 et seq) regulates illegal immigration in the State of Alabama. Effective January 1, 2012, all contracts with the State or a political subdivision thereof must comply with the following provisions of that law.

Section 9 (a) of the Act provides "As a condition for the award of any contract by the state, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, the business entity or employer shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien and shall attest to such, by sworn affidavit signed before a notary public. Exhibit F to this RFP is a form affidavit to be used to comply with this requirement. It must be submitted prior to the award of a contract.

Section 9 (b) of the Act requires "As a condition for the award of any contract to a business entity or employer that employs one or more employees, the business entity or employer shall provide documentation establishing that the business entity or employer is enrolled in the E-Verify program." A contractor's submission of a response to this RFP will constitute a representation that it is enrolled in the E-Verify program. Prior to the award of a contract, the selected contractor must submit a fully executed, completely legible, copy of the Memorandum of Understanding between the contractor and the United States Department of Homeland Security as evidence of compliance with this requirement.

1. Purpose

State Treasurer Young Boozer ("Treasurer") solicits proposals from qualified professional firms interested in providing ongoing development, design and programming ("Firm" or "Responder") for the Office of State Treasury ("OST") website.

This Request for Proposals ("RFP") is issued in accordance with the requirements of Section 41-16-72(4), Code of Alabama (1975). This RFP is not an offer to contract but seeks the submission of proposals from qualified, professional firms that may form the basis for negotiation of a Website Design Services Agreement. *The Treasurer reserves the right to reject any or all proposals and the right to solicit additional proposals if that is determined to be in the best interests of the OST.*

2. Minimum Qualifications

In order for your RFP to be considered, your firm must include documented proof that the following minimum qualifications listed below are met. In addition, the Responder has a continuing obligation to disclose information throughout the RFP process should any qualifications or situations change that might render the Responder as an unqualified candidate.

- If selected, the Responder will comply with all state regulations to conduct business in the State of Alabama, and will register with the Secretary of State if applicable.

- The Responder and its personnel have all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP at the time it submits a response to the RFP.
- The Firm you represent has been in operation for over five years.
- The project manager at your Firm responsible for providing the services described in this RFP has at least three years of website development experience.
- The Firm is committed to work closely and cooperatively with OST staff to facilitate the implementation of any enhancements or modifications required by the OST.
- The Firm has a company policy and practice of equal employment opportunity and non-discrimination based on age, race, creed and gender.
- If applicable, the Firm will maintain sufficient procedures and capabilities to ensure the timely and accurate backup and full recovery for all servers and other data storage systems related to this website.
- If selected, the Firm will carry errors and omissions insurance or a comparable instrument to cover the Firm's negligent acts or omissions.
- If selected, the Firm will be in compliance with Section 9(b) of Act 2011-535 *The Beason-Hammon Alabama Taxpayer and Citizen Protection Act*.

3. Background

The Alabama OST is responsible for multiple state financial interests including unclaimed property, cash management, bond record management, college savings programs, public funds security for banks, the Alabama Trust Fund and the Penny Trust Fund. The website for OST, www.treasury.alabama.gov, provides information related to all of these areas in addition to OST related news and links to certain Treasury-managed programs.

4. Scope of Services

The Firm will work with OST staff to develop a new OST website per the following:

- Create a new and unique website design that is attractive, easy to navigate, flexible, safe and secure and quick to load and operate.
- Use web best practices across the board.
- Site will also need to incorporate www.moneyquest.alabama.gov and www.treasury.alabama.gov/pact/ which are currently Treasury-related standalone sites.
- Site must be designed with a Content Management System (CMS) that allows for quick and easy creation and editing of pages by OST staff. The selected Firm will provide training to OST staff on how to maintain and update the website within the CMS.
- Site must be compatible with the latest versions of Internet Explorer, Firefox and Google Chrome.

- The selected Firm must train OST staff on accessing/monitoring website metrics and counts on visits and activity to site and manage site navigation.
- Core site content and language will be provided by OST staff. Professional recommendations by the selected Firm to modify and improve content will be key to providing a clean and clear website.
- The selected Firm will work with OST to analyze what needs to be on the website giving specific attention to content that will affect Search Engine Optimization (SEO) efforts. In addition, the selected Firm will:
 - Create a site map and navigational structure
 - Secure web partner for hosting
 - Deliver content to mobile devices and tablets as well as standard desktops utilizing adaptive design technology
- Create and manage approximately 45 interactive forms with database capture and 280 static pdfs.
- Include and link to other web documents such as PDF files.
- Include 301 re-direct capability so that “old” content URLs can be easily mapped to their “new” locations.
- Provide website maintenance as needed – the website is to be designed to allow for automatic updating for demographic and statistical information and allow for in-house content management for things such as news releases. The selected Firm is to provide an hourly rate schedule for as-needed services and any applicable annual hosting costs.
- Included below are examples of other state treasury websites that we believe have a good look and function well:
 - Kansas – www.kansasstatetreasurer.com
 - Washington – www.tre.wa.gov
 - New Mexico – www.nmsto.gov
 - Mississippi – www.treasurerlynnfitch.com
 - Iowa – www.treasurer.state.ia.us
 - Delaware – www.treasury.delaware.gov

5. Proposal Required Information

Proposals should be as thorough and detailed as possible so that your capabilities to provide the required services can be properly evaluated.

To be considered, responses to this RFP must include:

1. Brief transmittal letter;
2. Exhibit A, Proposal;
3. Exhibit B, Minimum Qualifications;
4. Exhibit C, Certificate of Compliance, and
5. Disclosure Statement. All proposals submitted in response to this RFP must include a completed Vendor Disclosure Statement as required by Section 41-16-80, et seq., Code of Alabama (1975). Copies of the Disclosure Statement, and information, may be downloaded from the Alabama Attorney General’s website at www.ago.state.al.us/page-resources.

6. Submission of Proposals

Issuing Office:

Office of State Treasurer Young Boozer
Alabama State Capitol
600 Dexter Avenue, Suite S-106
Montgomery, AL 36104

Submission Deadline: It is the responsibility of the Responder to ensure that its proposal is delivered and received in the Treasurer's Office on or before 5:00 p.m. on December 30, 2014. Provide an original response and an electronic version of the response. The Treasurer will not consider proposals received after the date and time specified herein. The Treasurer assumes no responsibility for late delivery by the U.S. Mail, the State's Central Mail Facility, a commercial courier service, or any other method of delivery selected by the Responder. The response may be emailed by the submission deadline with the paper documents delivered within two business days.

Questions and Inquiries: The sole point of contact for purposes of this RFP is Glenda Allred. Any questions or inquiries should be emailed to glenda.allred@treasury.alabama.gov. All written questions should be submitted by December 17, 2014. Written responses to written questions and inquiries shall be posted on the Treasurer's website. Any oral communications shall be considered unofficial and nonbinding.

Rejection of all Proposals: The Treasurer reserves the right to reject any or all proposals and/or to solicit additional proposals if that is determined to be fiscally advantageous to the OST or otherwise in its best interests.

7. Evaluation and Selection

All proposals timely received will be reviewed and evaluated by the Proposal Evaluation Committee. The Committee will recommend proposals to the Treasurer that most closely meet the requirements of the RFP. After the review and evaluation of the proposals, the Treasurer may conduct interviews. Finalists chosen for interviews, if necessary, will be notified. The Treasurer reserves the right to request a best and final offer for fees from finalists.

Qualifications to be considered for evaluation include the overall abilities, capabilities and experience of the firm and staff to develop websites. The Treasurer will select the firm he determines, in his sole discretion, to be fully qualified and best suited among those submitting proposals to best meet the needs of the Alabama's Office of State Treasury. *All proposals received in response to this RFP may be rejected and the Treasurer may solicit additional proposals.*

Upon identification of the selected firm, if any, the Treasurer may initiate negotiations for contract terms and conditions. The OST shall post the RFP on the Alabama Department of Finance Comptroller's website www.comptroller.alabama.gov. Interested parties may monitor the progress and status of this RFP process on the RFP database.

8. Efforts to Influence Selection Process Prohibited

The integrity of the RFP process is of primary importance and will not be compromised. Any written or oral communications beyond the RFP response made by responders, or others on

their behalf, whether paid or unpaid, to influence the selection process, from the time the RFP is issued through its conclusion, made directly or indirectly to the Treasurer or OST staff will be grounds for immediate elimination from the selection process.

9. Agreement

All duties of the Firm shall be set forth in a contract agreement between the selected Responder and the Treasurer. Contract terms are for a period of three years with a two-year extension option. The contract will incorporate reference to the requirements of the RFP and the proposal as negotiated.

State law prohibits the Treasurer from agreeing to (1) indemnify the Responder; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration. Additionally, it is mandatory that Alabama laws apply to the performance of the contract and that jurisdiction and venue be in Montgomery, Alabama, for state and federal courts.

10. Public Information

All responses received and subsequent communications, contracts, reports and other records developed during the course of the relationship, except as may specifically be exempted, will be subject to the Alabama Open Records Act, §36-12-40, Code of Alabama and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is §8-27-1 through §8-27-6, Code of Alabama. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Firm enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure according to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, the State Treasurer, and Treasury staff harmless from all costs or expenses, including but not limited to attorney fees and expenses related to litigation concerning disclosure of said information and documents.

EXHIBIT A
PROPOSAL

Part I. Qualifications

1. Provide a description of your Firm including company overview, history and qualifications of staff that would be assigned to this project. Are there any changes pending in this description?
2. Provide links to work and corresponding references served in the last two years comparable to the scope of this RFP.
3. Provide a well-defined scope of services available and a demonstrated ability to meet the requirements of this RFP.
4. Provide a proposed process for working with OST staff to fully develop the website and a proposed timeline for completing the work.
5. Provide a complete listing of fees including all optional services that may be offered.
6. Provide information on all “related” or “affiliated” firms that will assist in providing the services described in this RFP.
7. Provide details of any claims, disputes, litigation or other legal proceedings where your firm is involved with the State of Alabama or any of its agencies, or has been involved, in the three preceding years.
8. Describe any activities in which the Firm is engaged which may constitute a conflict of interest.
9. Describe your general backup procedures in the event of an in-house system failure or a material business disruption (expected to impact operations for more than 8 hours).
10. Describe factors or reasons we should consider your Firm more favorably than your competitors.

Part II. Other

1. Discuss any creative approaches to website services or alternative suggestions which have not been specifically requested or would enhance efficiency and/or reduce costs.
2. State what Content Management System (CMS) you propose the site be designed with and why.
3. How will you provide for system upgrades and any changes/updates needed for the site on an on-going basis (outside of CMS capability by OST staff)?

4. Describe your process for training OST staff on using the CMS, accessing/monitoring website metrics and counts on visits and activity to site and manage site navigation.
5. What provider would you use for hosting the website? How many other web clients do you have with this provider?

1. EXHIBIT B

MINIMUM QUALIFICATIONS

1. The Firm maintains sufficient procedures and redundancy capabilities to assure continued processing in an emergency.
_____ Yes _____ No
2. The Firm has a company policy and practice of equal employment opportunity and non-discrimination based on age, race, creed and/or gender.
_____ Yes _____ No
3. If selected, the Responder will comply with all state regulations to conduct business in the State of Alabama, and will register with the Secretary of State if applicable.
_____ Yes _____ No
4. The Responder and its personnel have all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP at the time it submits a response to the RFP.
_____ Yes _____ No
5. The Firm you represent has been in operation for over five years.
_____ Yes _____ No
6. The project manager at your Firm responsible for providing the services described in this RFP has at least three years of website development experience.
_____ Yes _____ No
7. The Firm is committed to work closely and cooperatively with OST staff to facilitate the implementation of any enhancements or modifications required by the OST.
_____ Yes _____ No
8. If applicable, the Firm will maintain sufficient procedures and capabilities to ensure the timely and accurate backup and full recovery for all servers and other data storage systems related to this website.
_____ Yes _____ No
9. If selected, the Firm will carry errors and omissions insurance or a comparable instrument to cover the firm's negligent acts or omissions.
_____ Yes _____ No
10. If selected, the Firm will be in compliance with Section 9(b) of Act 2011-535 *The Beason-Hammon Alabama Taxpayer and Citizen Protection Act*.
_____ Yes _____ No

EXHIBIT C

State of _____)

County of _____)

CERTIFICATE OF COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535, as amended by Act 2012-491)

DATE: _____

RE Contract/Grant/Incentive (describe by number or subject): _____
by and between _____ **(Contractor/Grantee)**
and _____ **(State Agency or Department or other Public Entity)**

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of _____ with the Contractor/Grantee named above, and is authorized to provide representations set out in this Certificate as the official and binding act of that entity, and has knowledge of the provisions of THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by Act 2012-491) which is described herein as "the Act".
2. Using the following definitions from Section 3 of the Act, select and initial either (a) or (b), below, to describe the Contractor/Grantee's business structure.

BUSINESS ENTITY. Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit. "Business entity" shall include, but not be limited to the following:

- a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.
- b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without a business license.

EMPLOYER. Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

_____(a) The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.

_____(b) The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.

3. As of the date of this Certificate, Contractor/Grantee does not knowingly employ an unauthorized alien within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama;
4. Contractor/Grantee is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

Certified this _____ day of _____ 20_____.

Name of Contractor/Grantee/Recipient

By: _____

Its _____

The above Certification was signed in my presence by the person whose name appears above, on

this _____ day of _____ 20_____.

WITNESS: _____

Print Name of Witness

EXHIBIT D
COST PROPOSAL

1. Provide a detailed and itemized cost proposal to complete this project. All costs must be included.
2. Provide the number of hours you expect this project to consume before the new OST website is launched.
3. Provide annual maintenance costs, costs for any system upgrades and any hourly rate to be applied for updates to the website.
4. The State of Alabama Treasurer's Office will make payment for services in arrears. Please provide what annual compensation per year for three years would be and please list in detail compensation for any other services beyond scope.